

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT:	CNX Gas Company, LLC/Oakwood) Gathering, Inc.;) Garden Realty Corporation;) Harrison-Wyatt, LLC)	DOCKET NO. 97-0617-0587-02
RELIEF SOUGHT:	Issuance of an Amended Supplemental) Order Amending Prior Orders Affecting) Drilling Unit VP8SGU2 Located in) Buchanan County, VA) (herein "Subject Drilling Unit" to Provide:) (1) Calculation of Funds Unit Operator) Deposited into the Escrow Account for) Subject Drilling Unit by Tract Subaccounts;) (2) to Applicants a Royalty Accounting; and) (3) Disbursement to CNX Gas Company,) LLC/Oakwood Gathering, Inc., Garden) Realty Corp. and Harrison-Wyatt, LLC) in Accordance with their Ownership) Interests and their Royalty Split Agreement) Those Funds Deposited by the) Unit Operator into Subject Drilling Unit's) Escrow Subaccount for VGOB Tracts 10A,) 10B, 10C and 10D.	

REPORT OF THE BOARD

FINDINGS AND ORDER

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on May 18, 2004 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** Mark Swartz, Esq. appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it does not have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it does not have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, the

Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein.

4. **Prior Proceedings:**

4.1. On November 6, 1997, the Board executed its order pooling all interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code §§ 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on November 13, 1997 in Deed Book 470 at Page 73. The Pooling Order was supplemented by the Board's Supplemental Order Regarding Elections executed on April 17, 1998 that was filed with the Clerk's Office on April 29, 1998 in Deed Book 475 at page 291 ("Supplemental Order") (hereafter the Pooling Orders and the Supplemental Order are collectively referred to as the "Pooling Orders"). On July 20, 2004, the Board executed an order under Docket Number 97-0617-0587-01 and recorded in the Clerk's office in Book 598 at Page 35 for disbursement of funds from escrow for Tract 16A of the unit; Tract 16A funds were disbursed after testimony and after the Accounting was submitted necessitating recalculation of disbursement percentages as shown in Paragraphs 5.2 and 6, below. On June 17, 2003, The Board executed an order without docket number amending all prior pooling orders that named Buchanan Production Company, Pocahontas Gas Partnership, Island Creek Coal Company or Consol Energy, Inc. as unit operator, and designated CNX Gas Company, LLC as operator. In Buchanan County, the amendment order was recorded with the Buchanan County Clerk in Deed Book 585, Page 65.

4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code § 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Order (herein "Escrow Account"). According to the Pooling Orders the coalbed methane claims of oil and gas fee owner Garden Realty Corporation and coal fee owner of Big Axe Land Company (Harrison-Wyatt, LLC) in a 51.45-acre tract known as VGOB Tract 10A, a 44.53-acre tract known as VGOB Tract 10C, and a 3.77-acre tract known as VGOB Tract 10D, along with the coalbed methane claims of oil and gas fee owner CNX Gas Company/Oakwood Gathering, Inc. in a 98.27-acre tract known as VGOB Tract 10B in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.

4.3 In testimony and by petition, a copy of which is attached to and made a part hereof, CNX Gas Company, LLC states under oath that Applicants are parties to a Royalty Split Agreement. Said Royalty Split Agreement allows the Designated Operator to pay future royalties directly to persons who are parties to the agreement and, further, specifies that 50% of escrowed funds and future royalties attributable to VGOB Tracts 10A, 10C and 10D shall be paid to Garden Realty, Inc., and 50% of escrowed funds and future royalties attributable to VGOB Tracts 10A, 10C and 10D shall be paid to Harrison-Wyatt, LLC, and that 50% of escrowed funds and future royalties attributable to VGOB Tract 10B shall be paid to CNX Gas Company, LLC/Oakwood Gathering, Inc., and 50% of escrowed funds and future royalties attributable to VGOB Tracts 10B shall be paid to Harrison-Wyatt, LLC.

4.4 Petitioner gave notice to Garden Realty Corporation and Harrison-Wyatt, LLC that the Board would take the Affidavit referred to in Paragraph 4.3 above under consideration at its hearing on May 18, 2004 and consider whether to: (1) amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tracts 10A, 10C and 10D and the interests of Garden Realty Corporation and Harrison-Wyatt, LLC and those funds on deposit in the Escrow Account attributable to Tract 10B and the interests of CNX Gas Company, LLC/Oakwood Gathering, Inc and Harrison-Wyatt, LLC, and, (2) delete the

requirement that the Unit Operator place future royalties attributable to Tracts 10A, 10C and 10D and the interests of Garden Realty Corporation and Harrison-Wyatt, LLC and Tract 10B and the interests of CNX Gas Company/Oakwood Gathering, Inc. and Harrison-Wyatt, LLC in the Escrow Account, and (3) continue the escrow account under this docket number because parties other than those seeking disbursement under this order are subject to escrow.

- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. Findings:

- 5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

- 5.2 Petitioner has certified and represented to the Board that:

- (1) Garden Realty Corporation is the owner of 100% of oil and gas estate underlying VGOB Tracts 10A, 10C and 10D of the Subject Drilling Unit, and that CNX Gas Company, LLC/Oakwood Gathering, Inc. is the owner of 100% of oil and gas estate underlying VGOB Tract 10B of the Subject Drilling Unit;;
- (2) Harrison-Wyatt, LLC is the owner of 100% of the coal estate underlying VGOB Tracts 10A, 10B, 10C and 10D of the Subject Drilling Unit,
- (3) Tracts 10A, 10C and 10D of the Subject Drilling Unit are subject to a Royalty Split Agreement described in petition and testimony, and referred to in Paragraph 4.3, above, specifying that 50% of escrowed and future royalties attributable to Tracts 10A, 10C and 10D are to be paid to Garden Realty Corporation, and 50% of escrowed and future royalties attributable to Tracts 10A, 10C and 10D are to be paid to Harrison-Wyatt, LLC, and Tract 10B of the Subject Drilling Unit are subject to a Royalty Split Agreement described in petition and testimony, and referred to in Paragraph 4.3, above, specifying that 50% of escrowed and future royalties attributable to Tract 10B are to be paid to CNX Gas Company, LLC, and 50% of escrowed and future royalties attributable to Tracts 10B are to be paid to Harrison-Wyatt, LLC.

- (4) Net interests attributable and to be disbursed to Applicants are shown in Table 1, below.

TABLE 1			
Tract # Owner Names	Net acres In unit	% interest in unit	% interest in 95-1024-0526 balance
Tract 10A Garden Realty Corp. Harrison-Wyatt, LLC	51.45	2.99823	10.6096 10.6096

TABLE 1 (Cont.)			
Tract # Owner Names	Net acres In unit	% interest in unit	% interest in 95-1024-0526 balance
Tract 10B CNX Gas/Oakwood Harrison-Wyatt, LLC	98.27	5.72666	20.2644 20.2644
Tract 10C Garden Realty Corp. Harrison-Wyatt, LLC	44.53	2.59497	9.1826 9.1826
Tract 10D Garden Realty, Corp Harrison-Wyatt, LLC	3.77	0.21970	0.7774 0.7774

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting, the Escrow Agent is ordered to, within 10 days of receipt of this executed order: (1) disburse fifty percent (50%) of the funds attributable to VGOB Tracts 11A, 10C and 10D, being 20.5696 percent of funds on deposit in the escrow sub-account on the date of disbursement, to:

Garden Realty Corporation
C/o Margaret Worley Burns
108 Bexley Road
Mooresville, NC 28117

and, (2) disburse fifty percent (50%) of the funds attributable to VGOB Tracts 11A, 10C and 10D, being 20.5696 percent of funds on deposit in the escrow sub-account on the date of disbursement, to:

Harrison-Wyatt, LLC
c/o Wyatt Buick Pontiac, Inc.
P.O. Box 11000
Danville, VA 24543

(3) disburse fifty percent (50%) of the funds attributable to VGOB Tract (10B), being 20.2644 percent of funds on deposit in the escrow sub-account on the date of disbursement, to:

CNX Gas Company, LLC
P. O. Box 947
Bluefield, Virginia 24605

and, (2) disburse fifty percent (50%) of the funds attributable to VGOB Tract 10B, being 20.2644 percent of funds on deposit in the escrow sub-account on the date of disbursement, to:

Harrison-Wyatt, LLC
c/o Wyatt Buick Pontiac, Inc.
P.O. Box 11000
Danville, VA 24543

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted in toto and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of Garden Realty Corporation and Harrison-Wyatt, LLC in VGOB Tracts 10A, 10C and 10D and the conflicting coalbed methane gas ownership interests of CNX Gas Company, LLC/Oakwood Gathering, Inc. and Harrison-Wyatt, LLC in VGOB Tract 10B be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the

Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

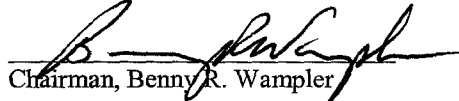
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and IT IS SO ORDERED.

8. **Appeals:**


Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 11th day of August, 2005, by a majority of the Virginia Gas and Oil Board.



Chairman, Benny R. Wampler

DONE AND PERFORMED this 17th day of August, 2005, by an Order of this Board.


B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF ~~WISE~~ WASHINGTON)

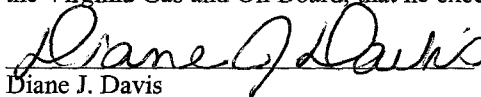
Acknowledged on this 11th day of August, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


~~Susan G. Garrett~~
Notary Public

My Commission expires: 9/30/05

COMMONWEALTH OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 17th day of August, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public

My commission expires: 9/30/05

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

**DIVISION OF GAS AND OIL
DOCKET NO: VGOB 97-0617-0587**

**RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 8, 10a, 10b, 10c and 10d
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES**

HEARING DATE: May 18, 2004

SEALED GOB DRILLING UNIT: VP8SGU2

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is **CNX Gas Company LLC**, P. O. Box 947, Bluefield, Virginia 24605, 276/988-1000. Petitioner's counsel is Mark A. Swartz, **SWARTZ & STUMP, L.C.**, P.O. Box 517, Abingdon, VA 24212.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 13, 14 and 18 as depicted upon the annexed Exhibit A dated April 26, 1997; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Harrison-Wyatt, LLC and CNX Gas Company LLC (Tracts 8 and 10b); Harrison-Wyatt, LLC and Garden Realty Corporation (Tracts 10a, 10c and 10d).

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 *et seq.*, 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and CNX Gas Company LLC (Tracts 8 and 10b); Harrison-Wyatt, LLC and Garden Realty Corporation (Tracts 10a, 10c and 10d), have entered into a royalty split agreement. Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be divided and paid, to-wit: 19.9788 percent of escrow (Tracts 8 and 10b) to Harrison-Wyatt, LLC and 19.9788 total percent of escrow (Tracts 8 and 10b) to CNX Gas Company LLC; 19.5573 percent of escrow (Tracts 10a, 10c and 10d) to Harrison-Wyatt, LLC and 19.5573 total percent of escrow (Tracts 10a, 10c and 10d) to Garden Realty Corporation.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

**CNX GAS COMPANY LLC
BY IT'S PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER**

By



Leslie K. Arrington
Manager – Environmental / Permitting
CNX Gas Company LLC
P.O. Box 947
Bluefield, Virginia 24605
276/988-1000

RECEIVED
DIVISION OF
GAS & OIL

VP8SGU2
VGOB #97-0617-0587

VGOB Tract #	8	10a	10b	10c	10d	12	16a	16b
Check Date	3.63	51.45	98.27	44.53	3.77	39.7	12.55	1.12
5/22/98	95.19	1,349.15	2,576.87	1,167.69	98.86	1,041.03	329.09	29.37
6/25/98	10.18	144.25	275.5	124.85	10.57	111.31	35.19	3.14
7/24/98	9.01	127.75	244.01	110.57	9.36	98.58	31.16	2.78
8/25/98	5.65	80.12	153.05	69.35	5.87	61.83	19.54	1.74
9/25/98	7.61	107.79	205.88	93.29	7.9	83.18	26.29	2.35
10/24/98	3.7	52.41	100.09	45.36	3.84	40.44	12.78	1.14
11/25/98	2.13	30.15	57.58	26.1	2.21	23.27	7.36	0.66
12/24/98	6.01	85.24	162.81	73.77	6.25	65.77	20.79	1.86
1/25/99	6.84	96.98	185.24	83.94	7.11	74.83	23.66	2.11
2/25/99	7.54	106.81	203.99	92.44	7.83	82.42	26.05	2.33
3/25/99	4.3	60.94	116.38	52.74	4.47	47.02	14.86	1.33
4/24/99	3.2	45.4	86.72	39.3	3.33	35.03	11.08	0.99
5/25/99	2.94	41.66	79.58	36.06	3.05	32.15	10.16	0.91
6/25/99	7.16	101.47	193.81	87.82	7.44	78.3	24.75	2.21
7/24/99	19.11	270.86	517.36	234.43	19.85	209	66.07	5.9
8/25/99	6.61	93.7	178.95	81.1	6.87	72.3	22.86	2.04
9/25/99	7.32	103.74	198.14	89.79	7.6	80.05	25.3	2.26
10/25/99	13.16	186.52	356.25	161.44	13.67	143.93	45.5	4.06
11/25/99	13.1	185.66	354.6	160.68	13.6	143.26	45.29	4.04
12/22/99	9.87	139.89	267.19	121.07	10.25	107.94	34.12	3.05
1/25/00	12.84	181.98	347.6	157.51	13.33	140.42	44.39	3.96
2/25/00	6.26	88.73	169.48	76.79	6.5	68.46	21.64	1.93
3/24/00	8.46	119.94	229.09	103.81	8.79	92.55	29.26	2.61
4/25/00	9.88	140.06	267.53	121.22	10.26	108.08	34.16	3.05
5/25/00	10.67	151.18	288.74	130.85	11.08	116.65	36.88	3.29
6/23/00	12.52	177.51	339.05	153.63	13.01	136.97	43.3	3.86
7/25/00	12.21	173.12	330.66	149.84	12.69	133.58	42.23	3.77
8/25/00	16.97	240.52	459.38	208.17	17.62	185.59	58.67	5.24
9/25/00	16.7	236.66	452.03	204.83	17.34	182.61	57.73	5.15
10/25/00	13.07	185.18	353.7	160.28	13.57	142.89	45.17	4.03
11/24/00	13.18	186.86	356.92	161.73	13.69	144.19	45.58	4.07
12/22/00	14.12	200.14	382.27	173.22	14.67	154.43	48.82	4.36
1/25/01	26.75	379.21	724.3	328.21	27.79	292.61	92.5	8.25
2/23/01	56.57	801.78	1,531.42	693.94	58.75	618.67	195.58	17.45
3/23/01	68.08	964.98	1,843.11	835.19	70.71	744.6	235.38	21.01
4/25/01	37.62	533.22	1,018.45	461.5	39.07	411.45	130.07	11.61
5/25/01	35.23	498.35	953.76	432.18	36.59	385.31	121.8	10.87
6/25/01	34.31	486.28	928.79	420.88	35.63	375.22	118.62	10.59
7/25/01	32.15	455.74	870.49	394.45	33.39	351.66	111.17	9.92
8/24/01	30.03	425.68	813.06	368.43	31.19	328.46	103.83	9.27
9/25/01	12.04	170.59	325.83	147.65	12.5	131.63	41.61	3.71
10/25/01	21.62	306.39	585.2	265.18	22.45	236.42	74.74	6.67
11/23/01	12.71	180.15	344.08	155.92	13.2	139	43.94	3.92
12/24/01	9.39	133.04	254.1	115.15	9.75	102.66	32.45	2.9
1/25/02	7.72	109.35	208.87	94.64	8.01	84.38	26.67	2.38
2/25/02	13.39	189.72	362.35	164.2	13.9	146.39	46.28	4.13
3/25/02	11.87	168.18	321.25	145.56	12.32	129.77	41.02	3.66
4/25/02	7.83	111.04	212.08	96.11	8.14	85.68	27.09	2.42
5/24/02	11.36	160.96	307.46	139.31	11.79	124.2	39.26	3.5
6/25/02	11.8	167.25	319.44	144.75	12.25	129.05	40.8	3.64
7/25/02	10.84	153.6	293.37	132.94	11.25	118.52	37.47	3.34
8/23/02	7.03	99.63	190.29	86.23	7.3	76.88	24.3	2.17
9/25/02	9.85	139.55	266.53	120.78	10.23	107.68	34.04	3.04
10/25/02	9.96	141.11	269.53	122.13	10.34	108.89	34.42	3.07
11/25/02	8.92	126.49	241.61	109.48	9.27	97.61	30.86	2.75
12/24/02	10.04	142.34	271.86	123.19	10.43	109.83	34.72	3.1
1/24/03	12.92	183.06	349.66	158.44	13.41	141.25	44.65	3.98
2/25/03	15.97	226.29	432.21	195.85	16.53	174.61	55.2	4.93
3/25/03	20.86	295.6	564.59	255.84	21.66	228.09	72.1	6.43
4/25/03	18	255.14	487.32	220.82	18.7	196.87	62.23	5.55
5/23/03	22	311.86	595.65	269.91	22.85	240.64	76.07	6.79
6/25/03	17.56	248.95	475.49	215.47	18.24	192.1	60.73	5.42
7/25/03	19.08	270.46	516.59	234.09	19.82	208.7	65.97	5.89
8/25/03	18.97	268.81	513.41	232.65	19.7	207.42	65.57	5.85
9/25/03	17.52	248.31	474.27	214.92	18.2	191.61	60.57	5.41
10/24/03	21.82	309.3	590.78	267.7	22.65	238.67	75.45	6.73
11/25/03	21.88	310.08	592.24	268.37	22.72	239.26	75.64	6.75
12/24/03	20.48	290.05	554.03	251.04	21.25	223.81	70.75	6.31
1/23/04	21.08	298.84	570.79	258.65	21.9	230.59	72.89	6.51
2/25/04	23.4	331.68	633.51	287.07	24.3	255.93	80.9	7.22

1.4234%	20.1749%	38.5342%	17.4614%	1.4763%	15.5674%	4.9212%	0.4392%
\$1,205.42	\$17,085.06	\$32,632.63	\$14,787.13	\$1,251.91	\$13,183.23	\$4,167.49	\$371.92
Wyatt / ICCO	Wyatt / Garden Realty	Wyatt / CRX	Wyatt / Garden Realty	Wyatt / Garden Realty		Raines, Jerry	

(prev Oakwood Gathering)

Check Total	+ / - Net Income	Operator Balance	Bank Balance
255.02			
6,687.25	\$22.58	\$6,709.83	\$6,709.83
714.99	\$0.00	\$7,424.82	
633.22	\$0.00	\$8,058.04	
397.15	\$0.00	\$8,455.19	
534.29	\$0.00	\$8,989.48	
259.76	\$0.00	\$9,249.24	
149.46	\$191.58	\$9,590.28	\$9,590.28
422.50	\$44.56	\$10,057.34	\$10,057.34
480.71	\$48.06	\$10,586.11	\$10,586.11
529.41	\$9.84	\$11,125.36	\$11,125.36
302.04	\$38.72	\$11,466.12	\$11,466.12
225.05	\$14.13	\$11,705.30	\$11,705.30
206.51	\$26.57	\$11,938.38	\$11,938.38
502.96	\$37.30	\$12,478.64	\$12,478.64
1,342.58	\$11.40	\$13,832.62	\$13,832.62
464.43	\$56.99	\$14,354.04	\$14,354.04
514.20	\$37.00	\$14,905.24	\$14,905.24
924.53	\$6.31	\$15,836.08	\$15,836.08
920.23	\$0.00	\$16,756.31	
693.38	\$134.28	\$17,583.97	\$17,583.97
902.03	\$51.28	\$18,537.28	
439.79	\$58.63	\$19,035.70	
594.51	\$69.67	\$19,699.88	
694.24	\$67.30	\$20,461.42	
749.34	\$92.53	\$21,303.29	
879.85	\$89.92	\$22,273.06	
858.10	\$97.90	\$23,229.06	
1,192.16	\$102.98	\$24,524.20	
1,173.05	\$101.26	\$25,798.51	
917.89	\$121.32	\$26,837.72	
926.22	\$115.81	\$27,879.75	
992.03	\$117.17	\$28,988.95	
1,879.62	\$130.62	\$30,999.19	
3,974.16	\$103.57	\$35,076.92	
4,783.06	\$126.52	\$39,986.50	
2,642.99	\$124.22	\$42,753.71	
2,475.09	\$114.76	\$45,343.56	
2,410.32	\$101.75	\$47,855.63	
2,258.97	\$111.66	\$50,226.26	
2,109.95	\$108.62	\$52,444.83	
845.56	\$85.69	\$53,376.08	
1,518.67	\$79.18	\$54,973.93	
892.92	\$63.15	\$55,930.00	
659.44	\$68.37	\$56,657.81	
542.02	\$40.97	\$57,240.80	
940.36	\$30.80	\$58,211.96	
833.63	\$34.55	\$59,080.14	
550.39	\$39.30	\$59,669.83	
797.84	\$33.06	\$60,500.73	
828.99	\$32.07	\$61,361.79	
761.33	\$33.98	\$62,157.10	
493.83	\$33.23	\$62,684.16	
691.70	\$28.44	\$63,404.30	
699.45	\$31.46	\$64,135.21	
626.99	\$30.27	\$64,792.47	
705.51	\$15.07	\$65,513.05	
907.37	\$13.81	\$66,434.23	
1,121.64	\$7.17	\$67,563.04	
1,465.17	\$11.94	\$69,040.15	
1,264.63	\$8.29	\$70,313.07	
1,545.77	\$11.84	\$71,870.68	
1,233.96	\$7.23	\$73,111.87	
1,340.60	\$3.10	\$74,455.57	
1,332.38	\$2.77	\$75,790.72	
1,230.81	\$4.32	\$77,025.85	
1,533.11	\$6.80	\$78,565.76	
1,536.94	\$4.48	\$80,107.18	
1,437.70	\$8.39	\$81,553.27	
1,481.25	\$6.28	\$83,040.78	
1,644.01	\$0.00	\$84,684.79	\$84,684.79

100.0000%
\$84,684.79

Exhibit E
VP8-SGU2
Docket # VGOB 97-0617-0587
List of Conflicting Owners/Claimants that require escrow

Revised 8/11/05

	Acres in Unit	Percent of Unit
<u>Tract #8 - 3.63 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.30 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	3.63 acres	0.21154%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Island Creek Coal Company Drawer L Oakwood, VA 24631	3.63 acres	0.21154%
<u>Tract #12 - 39.70 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.1 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	39.70 acres	2.31351%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Big Axe Land Company, Tr. 1 c/o Landon Wyatt, et al P.O. Box 1566 Danville, VA 24543	39.70 acres	2.31351%
<u>OIL & GAS CLAIMANTS. (Surface Owners)</u>		
(2) B.F. McGlothlin Heirs, Devisees, Successors or Assigns	39.70 acres	2.31351%
(3) Frankie Mae Street Heirs, Devisees, Successors or Assigns	39.70 acres	2.31351%
<u>Tract #16B - 1.12 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.2 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	1.12 acres	0.06527%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Iris Lee Nunley Rt.3 Box 171B Lebanon, VA 24266	1.12 acres	0.06527%

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 18th day of August, 2005 at 12:18P M. The tax imposed by §587.1-802 of the Code has been paid in the amount of \$.
Deed Book No. and Page No. .
Returned to: DMME TESTE: James M. Bevens, Jr., Clerk
 TESTE: Shirley S. Allen, Deputy Clerk

By
6/16
9

ENTERED

INSTRUMENT #050002471
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 18, 2005 AT 12:18PM
JAMES M. BEVINS, CLERK
RECORDED BY: AKT